

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA	§	PLAINTIFF
	§	
v.	§	CAUSE NO: 1:08cv1463LG-RHW
	§	
\$7,708.78 IN U.S. CURRENCY, ET AL	§	DEFENDANT PROPERTY

**ORDER DISMISSING CERTAIN REAL PROPERTY
FROM FORFEITURE AND CANCELLATION OF LIS PENDENS**

BEFORE THE COURT is the Government's Motion [98] to Dismiss Certain Real Property From Forfeiture and Cancellation of the Lis Pendens for each. The Court finds that the motion is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that the following property is hereby released and dismissed from this civil forfeiture action without prejudice and each Lis Pendens filed is hereby cancelled accordingly.

REAL PROPERTY

PARCEL NO. 1: Located at 3356 Cochiti Street, NE, Rio Rancho, New Mexico

Lot numbered One Hundred and Twenty-eight (128), Northern Meadows Unit 14, as the same is shown and designated on the plat entitled, "CORRECTION PLAT NORTHERN MEADOWS UNIT 14, BEING A REPLAT OF AN EASTERLY PORTION OF TRACT F-1, NORTHERN MEADOWS WITHIN SECTIONS 33 AND 34, TOWNSHIP 13 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO", filed in the office of the County Clerk of Sandoval County, New Mexico, on January 26, 2005 in Vol. 3, Folio 2495-A (Rio Rancho Estates Plat Book Number 17, pages 113 thru 117) Instrument No. 200502931.

PARCEL NO. 9: Located at 2314 Beau Chene Drive, Biloxi, MS

The clerk is instructed to index this property as Lots 16 and 23, Beau Chene Estates Subdivision.

Lots 16 and 23 Beau Chene Estates Subdivision as per map or plat thereof as recorded in the Office of the Chancery Clerk of the Second Judicial District, Harrison County, Mississippi, in Book 15 at page 50-51.

This conveyance is subject to all covenants, reservations and easements affecting said property on file and of record in the Office of the Chancery Clerk of the Second Judicial

District, Harrison County, Mississippi, including recorded Plat and Agreement with Corp of Engineers recorded in Book 322 at page 28-35, dated March 24, 1998, a copy of which is attached to the Warranty Deed #2005 6421 D J2.

PARCEL NO. 15: Located at 3121 Wayne Drive, Biloxi, MS

Lot 28, CYPRESS CREEK SUBDIVISION, PHASE 2, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi in Plat Book 18 at Page 3.

PARCEL NO. 17: Located on Division Street, Biloxi, MS

A parcel of land being situated West of Benachi Avenue and south of Division Street in the City of Biloxi, Second Judicial District, Harrison County, Mississippi and being more particularly described as follows:

Begin at a point on the south margin of Division Street where it intersects with the West margin of Benachi Street; thence S 00 degrees 23' 59" E along the West margin of Benachi Street for a distance of 412.21 feet; thence N 89 degrees 59' 48" W a distance of 138.61 feet; thence N 00 degrees 36' 01" W a distance of 427.10 feet to the South margin of Division Street; thence S 86 degrees 31' 32" E along the south margin of Division Street for a distance of 128.36 feet; thence S 59 degrees 32' 53" E a distance of 14.02 feet to the POINT OF BEGINNING.

AND ALSO:

Lot 7, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

Being a portion of those property acquired in Deed Book 133 at Page 109.

THIS CONVEYANCE is made subject to any and all recorded restrictive covenants, rights-of-way, easements and prior reservations of oil, gas, and mineral rights.

Lots 8, 9, 10, 15, 16, 17, 18, 19, & 20, Less the south 5 feet of said Lot 15, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

AND ALSO:

Beginning at a point on the North line of Block 3, BENACHI ADDITION, which lies 20 feet East of the Northwest corner of said Block 3, as platted, which said point now lies on the East line of Benachi Avenue as widened; running thence in an Easterly direction along the North line of said Block 3, Benachi Addition 225 feet to the West line of Graham Avenue; thence North long the West line of Graham Avenue 119.83 feet to the South line of Division Street as presently located; running thence in a Westerly direction at an interior angle 93 degrees 06' 225.33 feet along the South line of Division Street as presently located to a point which is the Southeast corner of the intersection of Benachi Avenue as widened and Division Street as presently located; running thence in a Southerly direction at an interior angle of 86 degrees 54' along the East line of Benachi Avenue as widened 132.02 feet to the point of beginning.

AND ALSO:

All the portion of Division Street vacated in Deed Book 338 at page 68-69.

Less and Except:

Any portion of the property conveyed to the City of Biloxi for the roadway purposes as recorded in Deed book 338 at Page 64.

PARCEL NO. 18: Located at 1029 Division Street, Biloxi, MS

A parcel of land being situated West of Benachi Avenue and south of Division Street in the City of Biloxi, Second Judicial District, Harrison County, Mississippi and being more particularly described as follows:

Begin at a point on the south margin of Division Street where it intersects with the West margin of Benachi Street; thence S 00 degrees 23" 59" E along the West margin of Benachi Street for a distance of 412.21 feet; thence N 89 degrees 59" 48" W a distance of 138.61 feet; thence N 00 degrees 36" 01" W a distance of 427.10 feet to the South margin of Division Street; thence S 86 degrees 31" 32" E

along the south margin of division Street for a distance of 128.36 feet; thence S 59 degrees 32" 53" E a distance of 14.02 feet to the POINT OF BEGINNING.

AND ALSO:

Lot 7, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

Being a portion of those property acquired in Deed Book 133 at Page 109.

THIS CONVEYANCE is made subject to any and all recorded restrictive covenants, rights-of-way, easements and prior reservations of oil, gas, and mineral rights.

Lots 8, 9, 10, 15, 16, 17, 18, 19, & 20, Less the south 5 feet of said Lot 15, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

AND ALSO:

Beginning at a point on the North line of Block 3, BENACHI ADDITION, which lies 20 feet East of the Northwest corner of said Block 3, as platted, which said point now lies on the East line of Benachi Avenue as widened; running thence in an Easterly direction along the North line of said Block 3, Benachi Addition 225 feet to the West line of Graham Avenue; thence North long the West line of Graham Avenue 119.83 feet to the South line of Division Street as presently located; running thence in a Westerly direction at an interior angle 93 degrees 06' 225.33 feet along the South line of Division Street as presently located to a point which is the Southeast corner of the intersection of Benachi Avenue as widened and Division Street as presently located; running thence in a Southerly direction at an interior angle of 86 degrees 54' along the East line of Benachi Avenue as widened 132.02 feet to the point of beginning.

AND ALSO:

All the portion of Division Street vacated in Deed Book 338 at page 68-69.

Less and Except:

Any portion of the property conveyed to the City of Biloxi for the roadway purposes as recorded in Deed book 338 at Page 64.

PARCEL NO. 19: Located at 280 Benachi Avenue, Biloxi, MS

A parcel of land being situated West of Benachi Avenue and south of Division Street in the City of Biloxi, Second Judicial District, Harrison County, Mississippi and being more particularly described as follows:

Begin at a point on the south margin of Division Street where it intersects with the West margin of Benachi Street; thence S 00 degrees 23' 59" E along the West margin of Benachi Street for a distance of 412.21 feet; thence N 89 degrees 59' 48" W a distance of 138.61 feet; thence N 00 degrees 36' 01" W a distance of 427.10 feet to the South margin of Division Street; thence S 86 degrees 31' 32" E along the south margin of division Street for a distance of 128.36 feet; thence S 59 degrees 32' 53" E a distance of 14.02 feet to the POINT OF BEGINNING.

AND ALSO:

Lot 7, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

Being a portion of those property acquired in Deed Book 133 at Page 109.

THIS CONVEYANCE is made subject to any and all recorded restrictive covenants, rights-of-way, easements and prior reservations of oil, gas, and mineral rights.

Lots 8, 9, 10, 15, 16, 17, 18, 19, & 20, Less the south 5 feet of said Lot 15, Block 3 of the Replats of Blocks 2 & 3, BENACHI ADDITION, Biloxi, Harrison County, Mississippi, as per Plat Book 17, Page 8.

AND ALSO:

Beginning at a point on the North line of Block 3, BENACHI ADDITION, which lies 20 feet East of the Northwest corner of said Block 3, as platted, which said point now lies on the East line of Benachi Avenue as widened; running thence in an Easterly direction along the North line of said Block 3, Benachi Addition 225 feet to the West line of Graham Avenue; thence North long the West line of Graham Avenue 119.83 feet to the South line of Division Street as presently located; running thence in a Westerly direction at an interior angle 93 degrees 06' 225.33 feet along the South line of Division Street as presently located to a point which is the Southeast corner of the intersection of Benachi Avenue as widened and Division Street as presently located; running thence in a Southerly direction at an interior angle of 86 degrees 54' along the East line of Benachi Avenue as widened 132.02 feet to the point of beginning.

AND ALSO:

All the portion of Division Street vacated in Deed Book 338 at page 68-69.

Less and Except:

Any portion of the property conveyed to the City of Biloxi for the roadway purposes as

recorded in Deed book 338 at Page 64.

PARCEL NO. 24: Located at 217 North Nicholson Avenue, Monterey Park, CA

The South 50 feet of Lot 55 of Ramona Acres, in the City of Monterey Park, County of Los Angeles, State of California, as per map recorded in Book 10, Page(s) 19 of Maps, in the office of the County Recorder of said County.

SO ORDERED AND ADJUDGED this the 2nd day of March, 2010.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.

United States District Judge